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## <u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

Applicant:

McMahon

Customer No. 29540

Serial No.:

09/915,100

For:

METHODS OF MAKING SLIDE-ZIPPERED RECLOSABLE

PACKAGES ON HORIZONTAL FORM-FILL-SEAL MACHINES

Filed:

July 25, 2001

Examiner:

**Sipos** 

Art Unit:

3721

Pitney Hardin LLP 7 Times Square

New York, New York 10036-7311

# PETITION UNDER RULE 78(a)(3) TO ACCEPT UNINTENTIONALLY DELAYED PRIORITY CLAIM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

Patentee respectfully petitions for the acceptance of an unintentionally delayed

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004

Ronald E. Brown

Attorney

July 27, 2004

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145, Order No. 099998.000069.

08/03/2004 HALI11

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priority claim to include U.S. patent application serial no. 09/631,179, filed August 2, 2000 and

which was pending on July 25, 2001 (the filing date of the present application), as described in

the enclosed Second Rule 312 Amendment (which supersedes the Rule 312 Amendment of July

15, 2004).

It is respectfully submitted that the enclosed Rule 312 Amendment provides the reference

to the prior-filed application under 35 U.S.C. §120, as required by Rule 78(a)(3)(i).

The surcharge set forth in Rule 17(t) is enclosed as required by Rule 78(a)(3)(ii). Please

charge any deficiencies or credit any overpayment to Deposit Account No. 50-1145, Order No.

099998.000069.

In accordance with Rule 78(a)(3)(iii), patentee states that the entire delay between the

date the claim was due under Rule 78(a)(2)(ii) and the date the claim was filed was

unintentional.

Respectfully submitted,

Gerald Levy

Registration No. 24,419

Ronald E. Brown

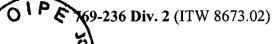
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Examiner:

John Sipos

Pitney Hardin LLP 7 Times Square New York, New York 10036-7311

#### **SECOND AMENDMENT UNDER RULE 312**

Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

Prior to the payment of the Base Issue Fee, please amend the above-identified application

as follows:

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Ronald E. Brown

July 27, 2004

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145, Order No. 099998.000069.

## Amendments to the Specification:

Page 1, line 6, after Title of the Invention, please add the paragraph as follows:

--CROSS REFERENCE TO RELATED APPLICATIONS. This is a division of application serial no. 09/631,179 filed August 2, 2000, which is a division of U.S. Patent Application serial number 09/316,866 filed on May 21, 1999, now U.S. Patent No. 6,138,439.--

#### **REMARKS**

This amendment is to clarify that this application is a division of application serial number 09/631,179 filed August 2, 2000 (which was pending on July 25, 2001, the filing date of the present application) and to add the '179 application to the chain of priority of this application.

The Amendment Under Rule 312 dated July 15, 2004 for this application should be disregarded.

A corrected filing receipt is respectfully requested.

It is specifically requested that this data appear on the issued patent.

Respectfully submitted,

Gerald Levy

Registration No. 24,419

Ronald E. Brown

Registration No. 32,200

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